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7 ZMH,

Plaintiff,

8 v.

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10 SAN FRANCISCO UNIFIED SCHOOL
DISTRICT, et al.,

11 Defendants.

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13 Case No. [3:19-cv-03840-JD](#)

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15 **ORDER OF DISMISSAL**

16 Re: Dkt. No. 52

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18 Plaintiff ZMH is a minor and lacks the capacity to sue on his own. *Johns v. Cty of San
Diego*, 114 F.3d 874, 877 (9th Cir. 1997). The Court appointed his mother as guardian ad litem,
and she is attempting to litigate the case on ZMH's behalf. Dkt. No. 26. The guardian is not
represented by an attorney, and our circuit has determined that "a parent or guardian cannot bring
an action on behalf of a minor child without retaining a lawyer." *Id.* Consequently, the case is
dismissed without prejudice to filing a new action as circumstances permit. *Id.* at 877-78.

19 **IT IS SO ORDERED.**

20 Dated: February 1, 2021

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JAMES DONATO
United States District Judge